

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Newport News Division

UNITED STATES OF AMERICA

v.

JAMAL A. SHIELDS,

Defendant.

Criminal No. 4:24cr49-02

**ORDER**

Before the Court are a Motion to Suppress (the “Motion”) (ECF No. 32) filed by Defendant Jamal A. Shields (“Defendant”) and the Government’s Response thereto (ECF No. 33). In the Motion, Defendant seeks suppression of all evidence obtained by law enforcement as a result of the search of his cell phone, including any derivative evidence. Mot. at 1, ECF No. 32. The Government’s Response indicates that after reviewing the Motion and supporting materials, while it

does not agree with all of the facts, allegations and conclusions set forth in the motion, the United States has determined and represents to the Court and the defendant that it will not seek to introduce at trial evidence obtained as a result of a search of the defendant’s cellphone.

Gov’t Resp. at 1, ECF No. 33. The Government further requests “that the Court prevent the defendant from making any argument that law enforcement did not exercise any diligence or effort in attempting to locate such evidence.” *Id.* Defendant’s deadline to file a reply has expired. Accordingly, the Motion is ripe for adjudication.

Because the Government has agreed not to seek to introduce the challenged evidence at trial, the Motion (ECF No. 32) is **DISMISSED as moot**. The Clerk is **REQUESTED** to send a copy of this Order to all counsel of record.

**IT IS SO ORDERED.**

October 21, 2024  
Norfolk, Virginia

/s/  
Arenda L. Wright Allen  
United States District Judge